

## **LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**P.A.S.#:** Cedar Grove Estates Community Unit Plan  
Co Special Permit #197, Preliminary Plat 02026

**Date:** December 17, 2002

### **SCHEDULED PLANNING COMMISSION MEETING:**

**DATE:** January 08, 2003

**Note:** This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

**PROPOSAL:** A Community Unit Plan to create 9 lots.

**WAIVER REQUEST:** Waivers of subdivision requirements of street trees, street lighting, landscape screens, sidewalks, cul-de-sac length, storm water detention and block length.

**LAND AREA:** 159.02 acres, more or less.

**CONCLUSION:** This plat and the listed waivers generally conform with the Comprehensive Plan and adopted Regulations.

### **RECOMMENDATION:**

County Special Permit #197 Conditional Approval  
Preliminary Plat # 02026 Conditional Approval

### **WAIVER REQUESTS**

|  |  |
|--|--|
| - block length along the north, south, east and west | Approval on the east west north and south.             |
| - sidewalk   | Approval   |
| - landscape screens                                  | Approval   |
| - street lights                                      | Approval   |
| - street trees                                       | Approval   |
| - cul-de-sac length.                                 | Approval if needed after providing a north-south road. |

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** The southwest quarter of Section 12, T9N, R8E, in the 6th P.M., Lancaster County, Nebraska, metes and bounds description attached.

**LOCATION:** S.176<sup>th</sup> Street and Old Cheney Road.

**APPLICANT:** Jered Morris  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68501  
(402) 474-6311

**OWNER:** Lyall Luff and Knox Associates  
a.k.a. 2LK Horse and Cattle Company.  
920 Pine Tree Lane  
Lincoln, NE 68521  
(402) 477-2971

**CONTACT:** Art Knox  
920 Pine Tree Lane  
Lincoln, NE 68521  
(402) 477-2971

**EXISTING ZONING:** AG Agricultural.

**EXISTING LAND USE:** Agriculture with one dwelling.

**SURROUNDING LAND USE AND ZONING:**

North: Agriculture, one dwelling, zoned AG  
South: Agriculture and one dwelling, zoned AG  
East: Agriculture, zoned AG  
West Agriculture, zoned AG

**ASSOCIATED APPLICATIONS:** County Special Permit # 197 and Preliminary Plat #02026 are related.

**HISTORY:** Changed from AA Rural and Public Use to AG Agricultural in the 1979 zoning update.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The 2025 Plan shows this as Agriculture. This is outside the Lincoln growth Tiers.

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot area) and AGR - Agricultural Residential District (minimum of 3 acres per lot area) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural

areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (pg F 70)

Acknowledge the “Right to Farm” and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (pg F 70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per “40” acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

Provide more bonuses and a lower threshold size (not below nominal 40 acres) for the proven technique of “cluster” development using the Community Unit Plan. This technique has been successful in providing flexibility while preserving both farmland and environmental resources at the same time. (F71)

**UTILITIES:** There is no public sewer available. Individual wells and waste disposal are proposed. This is in the Lancaster County Rural Water District #1.

**TOPOGRAPHY:** This is the top of a hill on rolling land, draining to the north and northeast. The north area of the application is an intermittent stream.

**TRAFFIC ANALYSIS:** S. 176<sup>th</sup> and Old Cheney Road are gravel county roads. Old Cheney Road is shown as a rural minor collector and potential paving in the Comprehensive Plan. Old Cheney Road is in the new 1 and 6 year road plan for future paving.

**PUBLIC SERVICE:** This is in the Bennet Rural Fire Districts, Waverly School District and Norris Public Power District.

**REGIONAL ISSUES:** Expansion of the acreage areas. Clustering to preserve farm land.

**ENVIRONMENTAL CONCERNS:** There are no identified Historic resources. The soil rating is 5.6 on a scale of 1-10 where 1-4 is prime soil. This is not prime soil. There are drainage ways through the site along the north and an existing dam. There is no FEMA floodplain shown. The north area around the stream is wooded. The tilled area is to the south of the wooded area. The wooded area on the north is shown as “wetland” on the USDA/NRCS maps but is not shown on other wetlands maps. The Bergman family cemetery is in the area of the ½ mile line on the east side of S 176<sup>th</sup> St., on or close to this property.

**AESTHETIC CONSIDERATIONS:** n/a

**ALTERNATIVE USES:** Continued farming or up to 7 dwellings on 20 acre parcels. 8 dwellings if a farmstead split-off is used with the existing farmstead.

**ANALYSIS:**

1. This request is for a Special Permit for a Community Unit Plan and a Preliminary Plat for 9 acreage residential lots. A gravel private street is proposed. A 20 % dwelling unit bonus is requested for preservation of farm land.
2. Individual water and sewage disposal are proposed. The lots are large enough for lagoons if percolation will not support a septic system. The water report indicates adequate quality and quantity of groundwater.
3. This request is in general conformance with the Comprehensive Plan.
4. The applicant is requesting waivers to street lighting, street trees, landscape screens, and sidewalks. These waivers are consistent with the agricultural nature of the subdivision and the provisions of the County regulations. The area is not to be annexed by the city at this time. The existing farm land and proposed acreages provide storm water detention equivalent to the Lincoln standards.
5. The applicant is requesting a waiver of the block length along the north, south, east and west of the plat. The waivers are reasonable considering the nature and use of the land for farming, existing dam, wooded area and topography. The land to the east and south is potentially developable in the future and could be provided access from the private road or by future platting. Provision of a access easement to the north for future access is desirable. The Cul-de-sac length exceeds the 1,000 feet of the design standards and may continue to do so after a north-south road is provided, but it reflects the wooded area/ tilled area boundary and is appropriate.
6. The density calculations for the project are as follows;

|   |   |                          |
|---|---|--------------------------|
| 159.02 acres at 1 dwelling per 20 acres | = | 7.95 dwellings           |
| 20% bonus requested X 1.20              | = | 9.54 dwellings permitted |
| Requested                               |   | 9 units                  |
7. There do not appear to be any conflicting farm uses, such as feedlots, in the immediate area.
8. The County Engineer's letter of December 9, 2002 notes the following;

- 1). Dedication of 60.00' right-of-way along South 176<sup>th</sup> Street. Dedication of 60.00' right-of-way along Old Cheney Road.
  - 2) Lot 9, Block 1 to be allowed one access for AG use only (*and one access for the existing dwelling*). Should the AG access change use it shall be relinquished.
  - 3) Lot 2, Block 1 is allowed one access only to South 176<sup>th</sup> Street.
  - 4) Lot 1, Block 1 is to relinquish access to South 176<sup>th</sup> Street.
  - 5) Lots 1,3 thru 8, Block 1 are permitted one residential access per lot.
  - 6) Cedar Lane - to be constructed to Lancaster County standards.
  - 7) Cedar Lane, being a private road, should be an Outlot of the subdivision. (*Note, in a Community Unit Plan, a private road by easement as shown is permitted* ).
  - 8) Culverts shall have a concrete headwall or flared-end section on inlet.
  - 9) Since the proposed road is a cul-de-sac, the name should have a different suffix. Also, there are already references to "Cedar" on existing streets. A new name should be used.
9. The Health Department notes;
- 1) Soils are generally not conducive to percolation and some may be flooded. No restriction on sewage lagoons shall be made.
  - 2) Water: LLCHD does not have sufficient information to comment on water availability or quality at this time. Further information must be supplied.
  - 3) The large pond on Lot 6 could present siting problems. LLCHD should be contacted prior to construction on the site.
  - 4) Lot 7 has a drainage way and may limit locations for a treatment system.
10. The applicant is requesting a 20% bonus for farmland protection.
11. The unusual lot size and arrangement for a rural community unit plan appears to reflect the demarcation of the wooded area and the tilled area of the farm. It also reflects the drainageway and "wetlands".

CONDITIONS FOR SPECIAL PERMIT #197:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the County Board's agenda: (NOTE: These documents and plans are required by resolution/ordinance or design standards.)
  - 1.1 Make the corrections requested by the County Engineer in his letter of December 9, 2002.
    - 1). Dedication of 60.00' right-of-way along South 176<sup>th</sup> Street. Dedication of 60.00' right-of-way along Old Cheney Road.
    - 2) Lot 9, Block 1 to be allowed one access for AG use only (*and one access for the existing dwelling*). Should the AG access change use it shall be relinquished.
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    - 7) Cedar Lane, being a private road, should be an Outlot of the subdivision. (*Note, in a Community Unit Plan, a private road by easement as shown is permitted* ).
    - 8) Culverts shall have a concrete headwall or flared-end section on inlet.
    - 9) Since the proposed road is a cul-de-sac, the name should have a different suffix. Also, there are already references to "Cedar" on existing streets. A new name should be used.
  - 1.2 Locate the Bergman family cemetery and show it if it is located on this property.
  - 1.3 Add a note that normal farming operations occur in the area and are not a nuisance.

- 1.4 Note that lot #9 is to remain in agricultural production and retain one dwelling.
  - 1.5 Note the existing farm structures and house are to remain.
  - 1.6 Show the easements requested by Norris Public Power.
  - 1.7 Add a note that “junk” cars will be prohibited by covenant or deed restriction.
  - 1.8 Show the flood elevation for the existing pond on Lot 6. Provide information to the satisfaction of the City County Health Department that Lot 6 is buildable for a house, well and waste disposal system.
  - 1.9 Revise the site plan and street center lines to show a future access easement to the north. The north south road need not be constructed at this time but will reserve access for future development to the north.
  - 1.10 Revise the density calculations to reflect the Lancaster County method.
  - 1.11 Revise the approval block of the Planning Commission to include the Community Unit Plan.
  - 1.12 Provide water quality and quantity information to the satisfaction of the Lincoln Lancaster County Health Department.
2. This approval permits 9 single family lots.

General:

3. Before receiving building permits:
  - 3.1 The permittee is to submit a revised site plan and the plan is found to be acceptable.
  - 3.2 The permittee is to submit six prints and a permanent reproducible final site plan as approved by the County Board.
  - 3.3 The construction plans are to comply with the approved plans.
  - 3.4 The final plat(s) is/are approved by the County Board.
  - 3.5 The required easements as shown on the site plan are recorded with the Register of Deeds.

3.6. The County Board approves associated requests:

3.6.1 Cedar Grove Estates Preliminary Plat #02026.

3.6.2 A waiver to the sidewalk, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural/agriculture nature and the subdivision will not be annexed.

3.6.3 A modification to the requirements of the land subdivision ordinance\resolution to permit a block length in excess of 1320' along the north, south, east and west perimeter of this subdivision and a waiver of cul-de-sac length in excess of 1,000 feet if needed after provision of a north-south road.

3.7 The County Engineer has approved:

3.7.1 An agreement for street maintenance.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

4.1 Before occupying this Community Unit Plan all development and construction is to comply with the approved plans.

4.2 Before occupying this Community Unit Plan, City/County Health Department is to approve the water and waste water systems.

4.3 All privately-owned improvements, including private roadways, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the County Attorney.

4.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

4.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

4.6 The County Clerk is to file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee is to pay the recording fee.

CONDITIONS FOR PRELIMINARY PLAT #02026:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the City Council/County Board agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
  - 1.1 Make the corrections requested by the County Engineer in his letter of December 9, 2002.
    - 1). Dedication of 60.00' right-of-way along South 176<sup>th</sup> Street. Dedication of 60.00' right-of-way along Old Cheney Road.
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  - 1.9 Revise the site plan and street center lines to show a future access easement to the north. The north south road need not be constructed at this time but will reserve access for future development to the north.
  - 1.10 Revise the density calculations to reflect the Lancaster County method.
  - 1.11 Revise the approval block of the Planning Commission to include the Community Unit Plan.
  - 1.12 Provide water quality and quantity information to the satisfaction of the Lincoln Lancaster County Health Department.
2. The County Board/City Council approves associated requests:
- 2.1 County Special Permit # 196 for the Community Unit Plan.
  - 2.2 A waiver to the storm water detention, sidewalk, street paving, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural nature and the subdivision will not be annexed.
  - 2.3 A modification to the requirements of the land subdivision ordinance to permit a block length in excess of 1320' along the north, south, east and west perimeter of this subdivision and waiver of cul-de-sac length, if needed after provision of a north-south road.

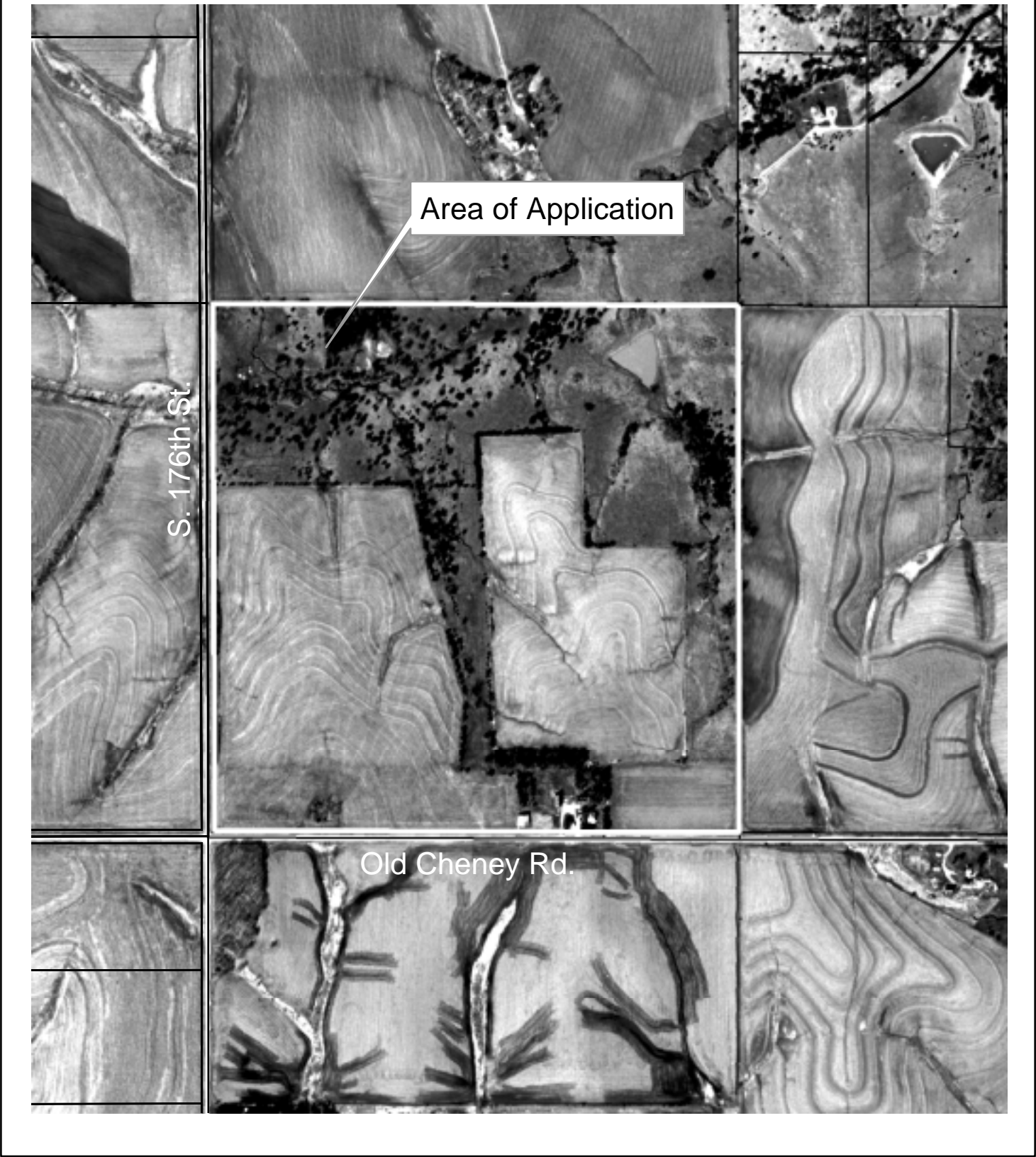
General:

3. Final Plats will be scheduled on the Planning Commission agenda after:
- 3.1 Streets, water facilities, drainage facilities, temporary turnarounds and barricades, and street name signs have been completed.
  - 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

- 3.2.1 To submit to the County Engineer an erosion control plan.
- 3.2.2 To protect the remaining trees on the site during construction and development.
- 3.2.3 To submit to lot buyers and home builders a copy of the soil analysis and water report.
- 3.2.4 To complete the private improvements shown on the preliminary plat.
- 3.2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County/City Attorney and filed of record with the Register of Deeds.
- 3.2.6 To relinquish the right of direct vehicular access to Old Cheney Road except for the existing residence and one farm access and to S 176<sup>th</sup> Street except for Lot 2, Cedar Lane (as renamed) and one farm access to Lot 9.
- 3.2.7 To comply with the provisions of the Land Subdivision Ordinance/Resolution regarding land preparation.

Prepared by:

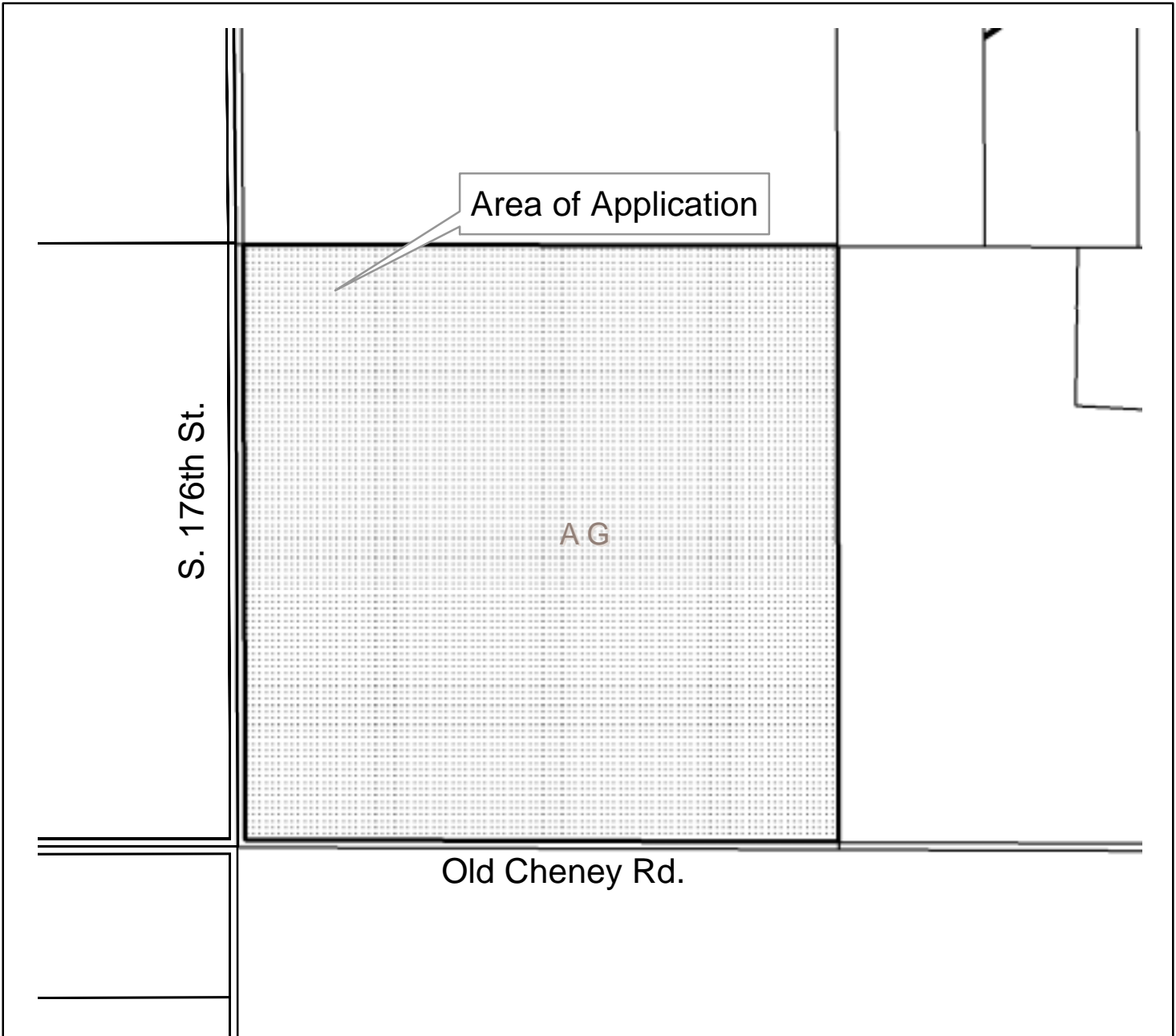
Michael V. DeKalb AICP  
Planner



**Preliminary Plat #02026**  
**County Special Permit #197**  
**Cedar Grove Estates**  
**S. 176th & Old Cheney Rd.**



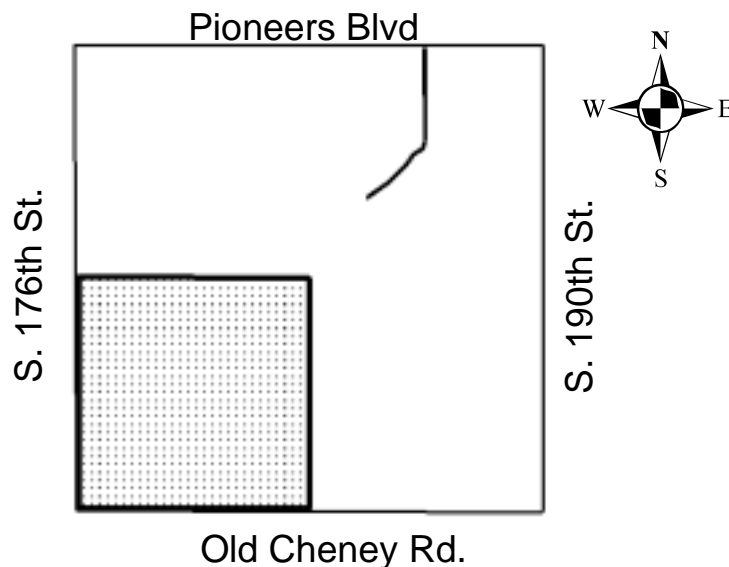
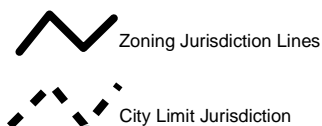
Lincoln City - Lancaster County Planning Dept.  
1999 aerial







**Preliminary Plat #02026**  
**County Special Permit #197**  
**Cedar Grove Estates**  
**S. 176th & Old Cheney Rd.**  
**Zoning:**

One Square Mile  
 Sec. 12 T9N R8E

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District



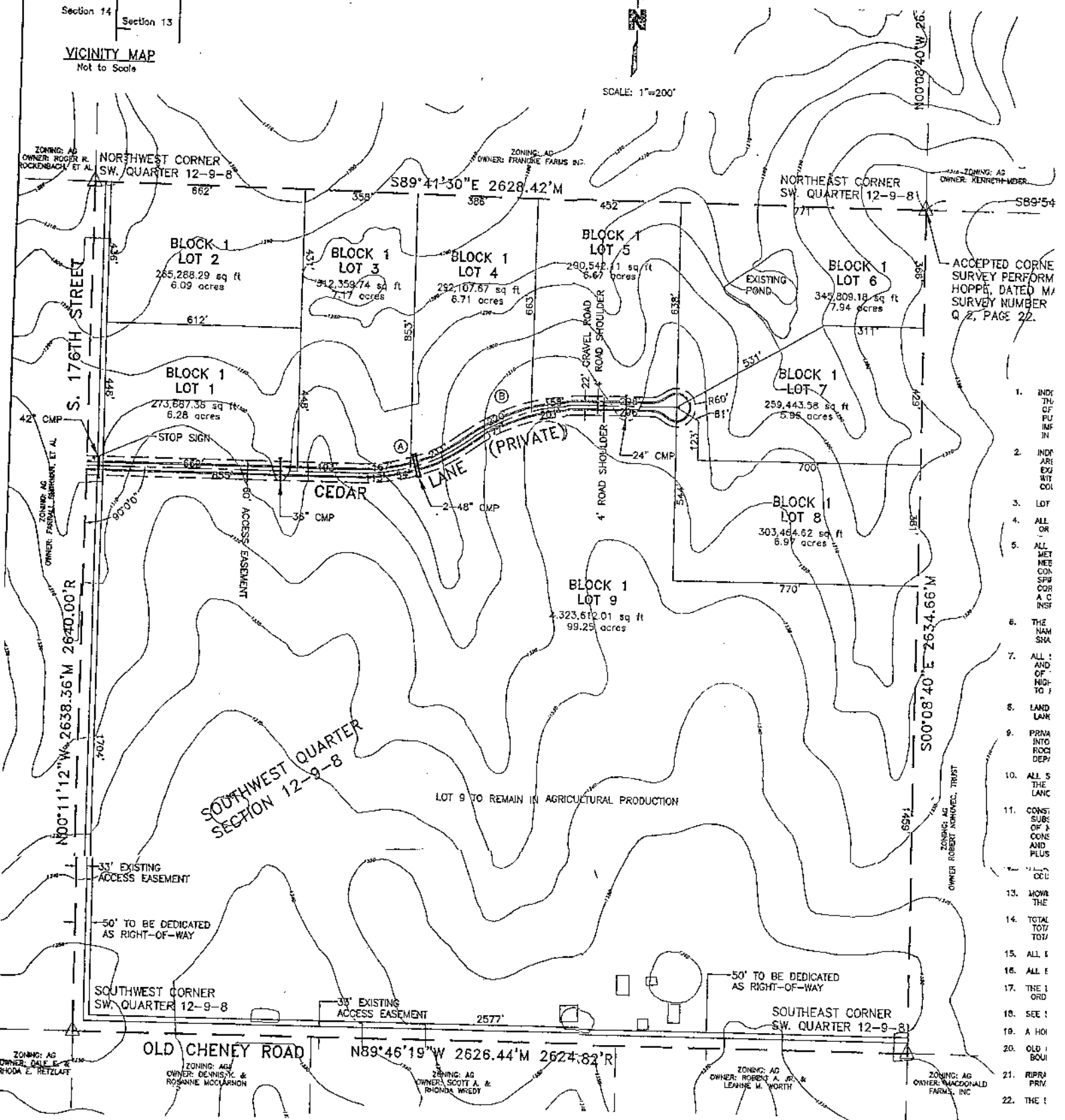
# LEGEND

-  SECTION CORNER
-  EXISTING STRUCTURES
-  PROPOSED STORM SEWER
-  STOP SIGN

## Preliminary Plat #02026 County Special Permit #197 Cedar Grove Estates S. 176th & Old Cheney Rd.

VICINITY MAP  
Not to Scale

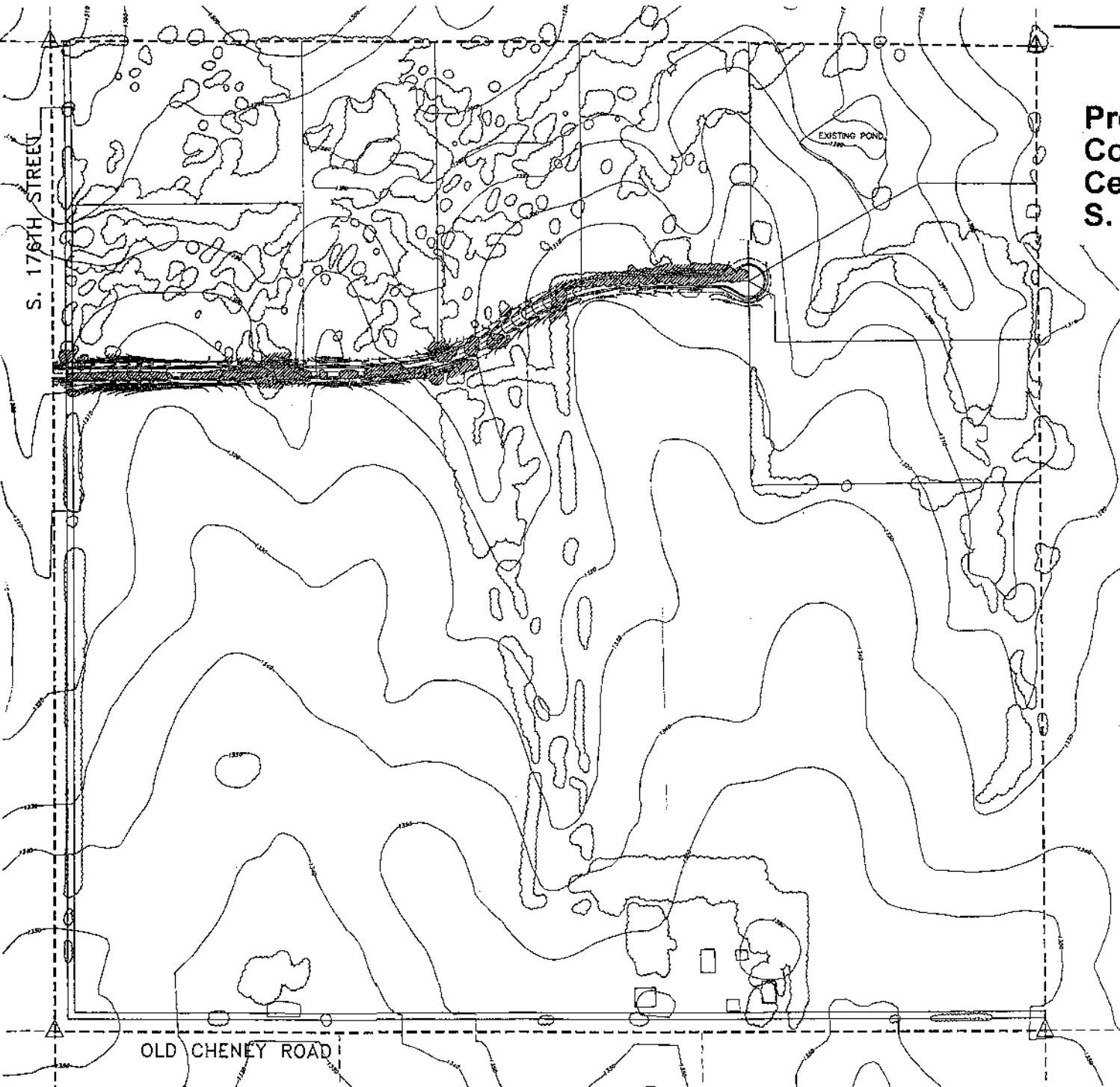
SCALE: 1"=200'



1. IND. TH. OF PL. INF. IN
2. IND. ARE. EX. WIT. COI.
3. LOT
4. ALL OR
5. ALL MET. RES. CON. SP. COR. A C. INF.
6. THE VAN. SHA.
7. ALL 1 AND OF HIGH-TO 1
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9. PRVA INTO ROCI DEP.
10. ALL 5 THE LANC.
11. CONST. SUB. OF A CONE AND PLUS
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14. TOTAL TOT/ TOT/
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17. THE 1 ORD
18. SEE 1
19. A HOI
20. OLD 1 BOU
21. RUPRA PRIV
22. THE 1

CEDAR GROVE ESTATES

PRELIMINARY PLAT AND C.U.P.



# **TREE SURVEY**

**Preliminary Plat #02026  
County Special Permit #197  
Cedar Grove Estates  
S. 176th & Old Cheney Rd.**

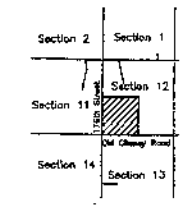


## **LEGEND**

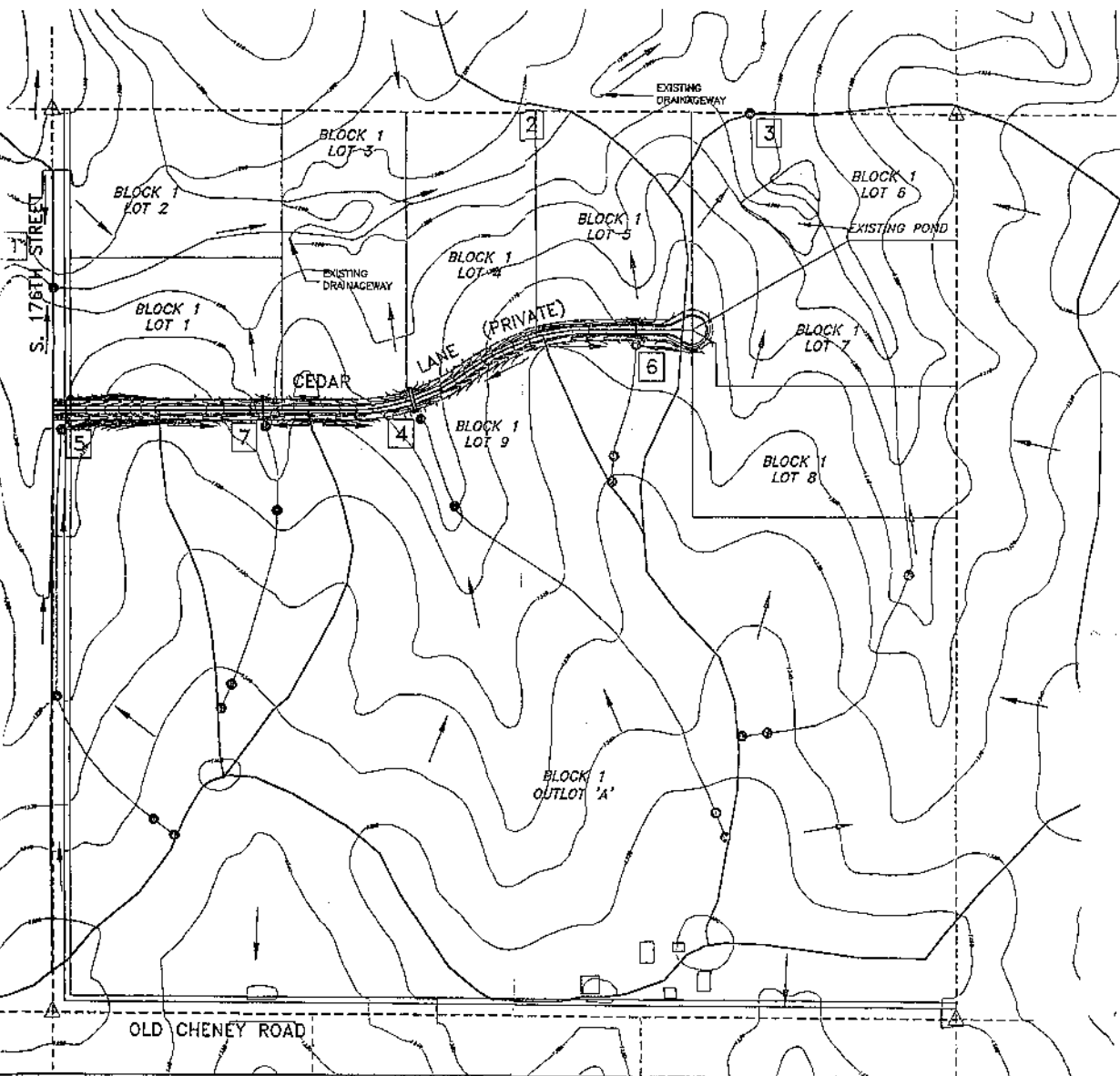
- PROPERTY LINES
- TREES, TREE-MASS, SHRUBS
- TREES, TREE-MASS, SHRUBS TO BE REMOVED
- EXISTING STRUCTURES

## **GENERAL VEGETATION TYPES FOUND ON-SITE**

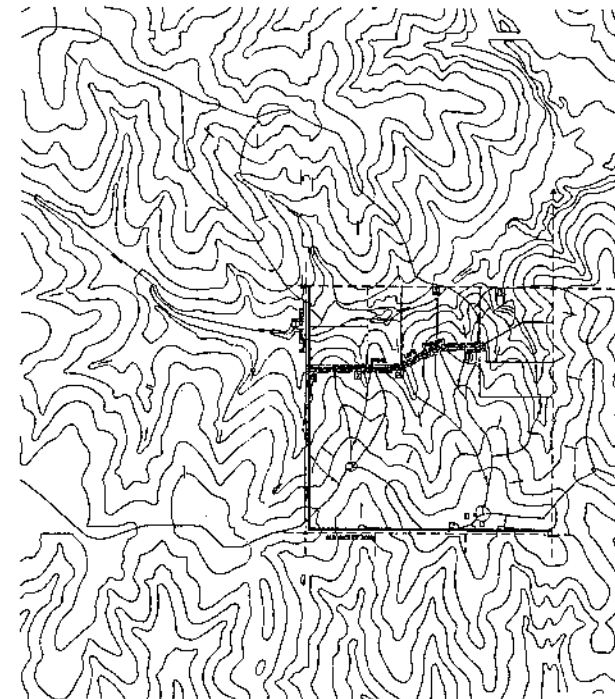
1. EASTERN RED CEDAR
2. COMMON HACKBERRY
3. COTTONWOOD
4. OSAGE ORANGE
5. AMERICAN PLUM (within 176th ST ROW)



SCALE: 1"=100'



SCALE: 1"=400'



# LEGEND

- 1184 ——— EXISTING MINOR CONTOUR
- 1185 ——— EXISTING MAJOR CONTOUR
- 1184 ——— PROPOSED MINOR CONTOUR
- 1185 ——— PROPOSED MAJOR CONTOUR
- DRAINAGE BASIN BOUNDARY
- 6 DRAINAGE BASIN DESIGNATION
- PRELIM. STORM SEWER LOC.
- > REACH ROUTE, TO TRAVEL P.
- EXISTING STRUCTURES

## NOTE:

1. ALL ELEVATIONS ARE BASED ON NAVD 1988.
2. SCS METHOD USED FOR RUNOFF CALCULATIONS.
3. SEE SHEET 3 FOR DRAINAGE L. CALCULATIONS.
4. RIPRAP TO BE PLACED AT CULVERT INLETS AND OUTLETS TO PREVENT EROSION.
5. NO STRUCTURES OR GRADING SHALL BE ALLOWED WITHIN DRAINAGEWAYS.

SCALE: 1"=100'

## REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |

## DRAINAGE PLAN

CEDAR GROVE ESTATES  
PRELIMINARY PLAT AND C.I.P.

Drawn by:  
checked by:  
approved by:  
Sh/GC by:  
project no.:  
drawing no.:  
date:

02  
10  
12

SHEET  
2 OF 5

**Preliminary Plat #02026**  
**County Special Permit #197**  
**Cedar Grove Estates**  
**S. 176th & Old Cheney Rd.**

- AG  
DONALD  
INC

### WAIVERS

1. TO WAIVE THE ORNAMENTAL LIGHTING REQUIREMENT.
2. TO WAIVE THE SIDEWALK REQUIREMENT.
3. TO WAIVE THE BLOCK LENGTH OVER 1320' REQUIREMENT.
4. TO WAIVE THE LENGTH OF CUL-DE-SAC GREATER THAN 1000' REQUIREMENT.
5. TO WAIVE THE REQUIREMENT THAT LOT LINES SHALL BE AT RIGHT ANGLES TO THE RIGHT-OF-WAY AND PUBLIC ACCESS EASEMENTS.
6. TO ALLOW LOT FRONTAGE ALONG 176TH STREET TO PREVENT IMPACT ON EXISTING DRAINAGEWAY.
7. TO WAIVE THE DETENTION POND REQUIREMENT BECAUSE OF VERY MINIMAL INCREASES IN RUNOFF WHEN COMPARING EXISTING AND PROPOSED CONDITIONS.
8. TO WAIVE THE STREET TREE REQUIREMENT ON THE PRIVATE DRIVE AND COUNTY RIGHT-OF-WAY.
9. TO WAIVE THE SCREENING REQUIREMENT ALONG THE ARTERIALS (176TH STREET AND OLD CHENEY ROAD).
10. TO WAIVE PAVING ON THE PRIVATE ROADWAY.



OLSSON ASSOCIATES  
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

December 03, 2002

Mr. Marvin S. Krout, Director  
Lincoln-Lancaster County Planning Department  
555 South 10<sup>th</sup> Street, Suite 213  
Lincoln, NE 68508

DEC - 4 2002

Re: Cedar Grove Estates  
Preliminary Plat & C.U.P.  
OA Project No. 2-2002-0534

Dear Mr. Krout,

Enclosed find the following documents for the above referenced project:

1. Site Plan; 21 Copies
2. Grading and Drainage Plans; 5 copies
3. Preliminary Street Profile Plan; 5 copies
4. Tree Survey Plan; 6 copies
5. Soils Report, 3 copies
6. Drainage Study; 2 copy
7. Lancaster County Preliminary Plat Application
8. Lancaster County Zoning Application (Special Permit, CUP)
9. Ownership Certificate; 1 copy
10. A check in the amount of \$760.00
11. Water Well Letter; 2 copies
12. Preliminary Plat Checklist; 1 copy

On behalf of the Owner/Developer, 2LK Horse and Cattle Company, Lincoln, NE 68521, we are requesting to develop a Community Unit Plan that will include nine Single Family lots/acreages. The site is located in Southwest Quarter, Section 12, T9N, R8E of the 6<sup>th</sup> P.M., Lancaster County, Nebraska. Current and proposed zoning is AG.

The following Design Standard waivers are being requested and appear on the drawings:

1. To waive the ornamental light requirement throughout and adjacent to the development
2. To waive the sidewalk requirement throughout and adjacent to the development

3. To waive the block length requirement to allow for conformance to the landscape and land use
4. To waive the maximum cul-de-sac length requirement to allow for conformance to the landscape and land use
5. To waive the requirement that lot-lines must be at right angles to the right-of-way or access easements
6. To allow lot frontage onto 176<sup>th</sup> Street to minimize impacts on existing drainage way
7. To waive the detention pond requirement due to the minimal increases in runoff when comparing the existing and developed land use
8. To waive the street tree requirement throughout and adjacent to the development
9. To waive the screening requirement along 176<sup>th</sup> and Old Cheney Road
10. To waive paving on the Private Roadway

Please contact me if you have any questions or require additional information.

Sincerely,



Jered B. Morris, E.I.

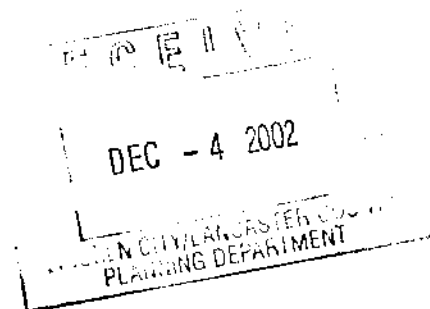
Enclosure

cc:

Art Knox

Lyall Luff

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# Harper Well and Plumbing Inc

P.O. Box 15  
Adams, NE 68301



Bus: (402) 988-2055  
Home: (402) 782-8715



Leonard Harper, Owner

November 23, 2002

Mr. Arthur L. Knox  
Knox Associates  
920 Pine Tree Lane  
Lincoln NE 68521

RE: Cedar Grove Estates Potential Development

Dear Art:

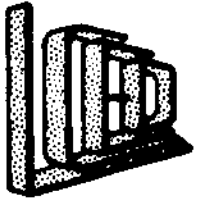
Concerning your proposed development in the SW  $\frac{1}{4}$  of Section 12, one half mile north of 176<sup>th</sup> Street and Old Cheney Rd, Lancaster, County, you have ask me to comment on the potential of underground water for domestic use in this proposed development. It is my opinion that water is available in this location. This is based on my knowledge of the area and the wells that are in the area. A creek runs through the property, which enhances the potential of water. I live approximately one half mile SW and I have a new 180 ft well that produces 20 gal per minute. There is a stock well located in the center of the proposed development, which was a good producing well when it was used a few years ago. Within  $\frac{3}{4}$  of a mile S.E are three domestic wells and there is one well approximately  $\frac{1}{4}$  mile to the north. I am confident that water is available on this site.

Sincerely,

Leonard Harper

Harper Well and Plumbing Company

DEC - 4 2002



Lancaster


County

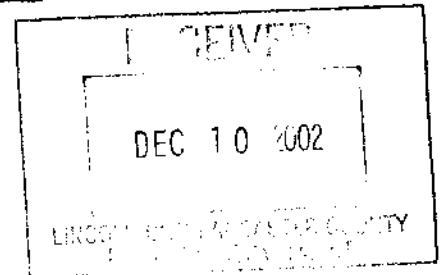
Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY- LARRY V. WORRELL  
COUNTY SURVEYOR

**DATE:** December 9, 2002  
**TO:** Mike DeKalb  
Planning Department  
**FROM:** Larry V. Worrell   
County Surveyor  
**SUBJECT:** CEDAR GROVE ESTATES  
PRELIMINARY PLAT & CUP



This office has reviewed subject development and would offer the following comments:

- 1) Dedication of 60.00' right-of-way along South 176<sup>th</sup> Street. Dedication of 60.00' right-of-way along Old Cheney Road
- 2) Lot 9, Block 1 to be allowed one access for AG use only. Should the access change in use, this access shall be relinquished
- 3) Lot 2, Block 1 is allowed one access only to South 176<sup>th</sup> Street
- 4) Lot 1, Block 1 is to relinquish access to South 176<sup>th</sup> Street
- 5) Lots 1, 3 thru 8, Block 1 are permitted one residential access per lot
- 6) Cedar Lane - to be constructed to Lancaster County Standards
- 7) Cedar Lane, being a private road, should be an Outlot of the subdivision
- 8) Culverts shall have a concrete headwall or flared-end section on inlet
- 9) Since the proposed road is a cul-de-sac, the name should have a different suffix. Also, there are already references to "Cedar" on existing streets. A new name should be used.

LVW/DP/cm

SUBDIV:WK/Cedar Grove PP and CUP.Mem

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

**TO:** Mike DeKalb

**DATE:** December 23, 2002

**DEPARTMENT:** Planning

**FROM:** Chris Schroeder  
Jerry Hood

**ATTENTION:**

**DEPARTMENT:** Health

**CARBONS TO:** Bruce Dart, Director  
EH File  
EH Administration

**SUBJECT:** Cedar Grove Estates  
SP #197 PP #02026  
County

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the preliminary plat and special permit application for the proposed Cedar Grove Estates subdivision with the following items noted:

- Sewage disposal: Most of this proposed subdivision is located on soils that are not particularly conducive to good percolation for septic systems. There are Burchard Clay Loam, Pawnee Clay Loam, and Mayberry Clay Loam located in the area. However, Judson Clay Loam, which is considered a "good" soil with respect to percolation, occupies a very small part of the proposed subdivision. There is also some Colo Silt Loam in the northwest corner of the subdivision. Colo is a frequently flooded soil and will not be available to build upon or install a sewage system on. The LLCHD will insist that no restriction be placed on the use of sewage lagoons in this area.
- Water supply is projected to be individual wells. The LLCHD does not have sufficient information to comment on the availability or quality of groundwater in this area. This information must be supplied before the LLCHD can make a decision on this property.
- The presence of a large pond and drainage way on Lot 6, Block 1 could present some siting problems for the on-site wastewater treatment system. The LLCHD should be contacted prior to construction of the home and its wastewater treatment system.
- In addition, Lot 7, Block 1 has a drainage way through it, which may limit the area that a treatment system can be installed.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.



AREA 2  
SERVICE CENTER

R.R. 1 BOX 56  
ROCA, NEBRASKA 68430  
402/423-3855  
FAX 402/423-8090

December 9, 2002

Mike Dekalb, Project Planner  
555 S. 10<sup>th</sup> #213  
Lincoln, NE 68508

RE: Cedar Grove Estates

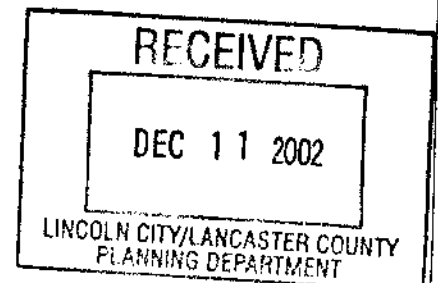
Dear Mike,

I have reviewed the subject plat and marked proposed easements in red. Note that I have requested our standard 10' on exterior lot lines, and 10' [ 5' each side ] of adjacent property lines

As always, thanks for your cooperation.

Sincerely,

Rick Volmer, Construction Superintendent, Area 2





**Edward Zimmer**

12/23/02 12:04 PM

To: Michael V Dekalb/Notes@Notes

cc:

Subject: County Prelim. Plat #02026

Mike,

Per your request, Chris Beltzer and I have done a little checking on the old farmstead at the south edge (Old Cheney Road) of the quarter-section involved in PP#02026.

The property includes a bungalow of ca. 1920 construction (+/- 10 yrs.) and a few outbuildings, probably of similar vintage. The Nolte family owned the property in that era (Frederick and Matilda from 1909 to 1917 and Arthur and Rosa from 1917 into the '40s). The barn and a smaller structure have handsome cupolas/ventilators.

My basic evaluation is that there may be some historic value to the farmstead, but that the proposal (creating 9 lots of the quarter section, of which 99 acres would be left with the farmstead) has minimal impact upon the farmstead. The farmstead sits on high ground, oriented to the south, well above the proposed acreage houselots to the north. The proposal would cause an eventual change to the rural views from the house, but the topography and the orientation tend to minimize the effect of that impact.

Ed